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Could the University of Nebraska use the discretionary fund for administration or for additional recruiters, or for something of that nature?

SENATOR WARNER: The--well, let me look at the language. I do not believe the language specifically prohibits the use of funds for that purposes. You get in somewhat of a definitional problem. Certainly the intent generally has been for instructional purposes. I assume that on some instances administrative staff can and do have a related instructional responsibility, at the dean's level, perhaps, that isn't quite that fine-lined. Certainly, it would not be the intent that those discretionary funds are used for nonacademic expenditures that may occur on the campus.

SENATOR CULLAN: So, you say certainly it should not be used for capital construction, for those types of programs, but it could be used for almost any other administrative or educational purpose?

SENATOR WARNER: Yes, if it's--I think the key is that it should be related to instructional activities, the emphasis that at least we have discussed it, and I think the implications in the bill is limited to instructional purposes.

SENATOR CULLAN: And that could include administration?

SENATOR WARNER: In some instances, I'm sure that would be legitimate.

SENATOR CULLAN: Okay. Thank you very much, Senator Warner.

PRESIDENT: Senator Murphy.

SENATOR MURPHY: Senator Warner, you say that you have, in creating this extra \$400,000, that you haven't appropriated funds, that you have taken \$100,000 from each of the four campuses and I wondered out of what campus funds that \$100,000 comes?

SENATOR WARNER: The way we are appropriating money in the case of the University this year is just a lump sum general fund appropriation to each of the campuses and there is nothing contained in the appropriation bills which would designate which program within the campus that the funds came from. This is not additional money. It should be clear that it was taking out money that they already had been appropriated or we had approved for appropriation. The other key, however, which perhaps I should have touched on in the intent bill, the University is required, as they are now, but is further emphasized in an oversight capacity again because of the court case that they report monthly back to the DAS, and through that, we receive it as well and the reporting back monthly in the program classifications system, it will result in us being able to monitor better than perhaps has been the case in the past as to how these \$100,000 are used as well as all their other funds regardless of source.

SENATOR MURPHY: Then it will indicate that these funds under those vouchers will be charged to the discretionary fund, is that what you are....?

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